



PATENT
Customer No. 22,852
Attorney Docket No. 9914.0004-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Mary Jane Cardosa et al.) Group Art Unit: 1648
)
Application No.: 10/786,380) Examiner: STACY BROWN CHEN
)
Filed: February 24, 2004) Confirmation No.: 3579
)
For: RECOMBINANT MVA VIRUS EXPRESSING DENGUE VIRUS
ANTIGENS, AND THE USE THEREOF IN VACCINES

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

The listed foreign and non-patent literature documents are either of record in prior application no. 09/147,919, filed September 23, 1997, upon which applicant relies for the benefits provided in 35 U.S.C. § 120, or are attached.

06/01/2007 AWONDAF1 00000050 10786380

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Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 31, 2007

By: 

Salvatore J. Arrigo

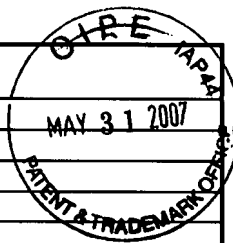
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IDS Form PTO/SB/08: Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/786,380
				Filing Date	February 24, 2004
				First Named Inventor	Mary Jane Cardosa
				Art Unit	1648
				Examiner Name	Stacy Brown Chen
Sheet	1	of	1	Attorney Docket Number	09914-0004-00000



U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A10	US-5,494,671	02-27-1996	Ching-Jun Lai <i>et al.</i>	
	A11	US-6,869,793	03-22-2005	Cardosa <i>et al.</i>	
	A12	US-5,369,025	11-29-1994	Nazerian <i>et al.</i>	
	A13	US-6,074,865	06-13-2000	Kelly <i>et al.</i>	
		US-			
		US-			
		US-			
		US-			
		US-			

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	B11	EP 0836648	01-23-1997	Gerd Sutter <i>et al.</i>		
	B12	WO 90/01946	03-08-1990	Ching-Jun Lai <i>et al.</i>		
	B13	WO 92/15672	09-17-1992	Paoletti <i>et al.</i>		

NONPATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
	C45	BRAY, M. <i>et al.</i> , "Monkeys immunized with intertypic chimeric Dengue viruses are protected against wild-type virus challenge," <i>Journal of Virology</i> , 70(6): 4162-4166 (1996).	
	C46	DEUBEL, V., <i>et al.</i> , "Dengue 2 virus envelope protein expressed by a recombinant vaccinia virus fails to protect monkeys against Dengue," <i>Journal of General Virology</i> , 69: 1921-1929 (1988).	
	C47	YAMSHCHIKOV, V. F., <i>et al.</i> , "Generation of long flavivirus expression cassettes by in vivo recombination and transient dominant selection," <i>Gene</i> , 149: 193-201 (1994).	
	C48	ZHANG <i>et al.</i> , BBRC 200(1):95-101 (1994).	
	C49	MOSS, <i>Seminars in Immunology</i> 2:317-327 (1990).	
	C50	HAYES <i>et al.</i> , <i>Pediatric Infectious Disease Journal</i> 11(4):311-7, abstract only cited.	
	C51	BANCROFT, <i>Puerto Rico Health Sciences Journal</i> 6(11):23-6, abstract only cited.	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.